



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, JUNE 3, 2013  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING CONSIDERATION OF A NEW  
PLANNED BUSINESS DISTRICT TO REPLACE THE  
“H” HISTORIC OVERLAY AND “C-1” COMMERCIAL ZONING  
DISTRICTS IN A SPECIFIED AREA OF MANCHESTER**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, June 3, 2013 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive to consider the following:

Consideration of a new Planned Business District (PBD) zoning district to replace the ‘H’ Historic Overlay and ‘C-1’ Commercial zoning districts for properties south of Manchester Road between Highway 141 and Sulphur Spring Road to Grand Glaize Creek, and rezoning such properties to Planned Business District (PBD).”

Mayor Willson stated that first we would hear from the proponents, then the opponents, and then comments from the public and the Board of Aldermen.

Director of Planning, Zoning, and Economic Development Franz Krintz spoke as a proponent. He stated that this public hearing is being held to consider a new Planned Business District to replace the “H” Historic Overlay and “C-1” Commercial zoning districts for properties in an area south of Manchester Road to the Grand Glaize Creek.

Director Kraintz stated the purpose for this district involves two reasons: one is about the restrictions of the historic overlay and the second is to create new design guidelines which is believed will spur and encourage new investment and transform the commercial area.

Director Kraintz explained that the Historic District only allows 13 business uses, and the Planned Business District allows 47 business uses. He said some of the businesses are new, but reflect existing uses that are already there.

Director Kraintz stated some of the uses would be small, independent types of stores and offices. The new design guidelines that they have established are crafted to allow greater height and there are fewer restrictions on setbacks. It is recognized that this area reflects the heritage of the community, so as much as existing buildings can be preserved and maintained, that is encouraged; however, if new development comes in, the new guidelines are intended to enhance the character, appeal, and interest in the downtown area without losing the sense of identity.

Director Kraintz stated the new guidelines emphasis brick and bricklike materials such as stone. There is a lot of interest in character. There are new signage provisions. The remainder of the regulations are in the public realm like streetscapes, parking, landscapes, and access management.

Director Kraintz stated that it is the recommendation of the Planning and Zoning Commission and staff that these changes be approved.

As an opponent, Mr. Rick Scarfino, speaking for his father, Vito Scarfino, who owns property at 232 Old Sulphur Spring Road, stated that strip of buildings should be excluded from the District. The group of buildings that are not generally in the Historic Overlay District, which is south of Second Street, don't fit in the mold or the type of concept or design, and some are located in the flood plain. That list of buildings includes the American Legion, World Wide Auto, the Hutkin Office Building, Manchester's Public Works Site, and other several others.

Ms. Pauline Bair, 305 Morewood Drive, and asked if this is just Manchester Road and First Street, or what the area includes.

Director Kraintz answered that the area is approximately 50 acres, and it is the south of Manchester Road down to the Grand Glaize Creek between Sulphur Spring Road and Highway 141.

Alderman Clement asked Mr. Kraintz to respond to Mr. Scarfino's comments.

Director Kraintz stated that there clearly is a different type or feel of buildings there, and they are far back from Manchester Road, so they don't have that sense of the retail, downtown district. He said if one area carves itself out of the district, there may

be more, but the area identified by Mr. Scarfino in particular includes warehouses with docks.

City Attorney Gunn stated that there is non-conforming use protection that protects anything that is in existence. There have been conversations with the attorneys for the Hutkin Group and they are acceptable of this new Ordinance.

Alderman Diehl asked for verification that businesses in that area are grandfathered, including the City's own Public Works Department.

City Attorney Gunn said that the businesses that are already there will be allowed to continue under the "grandfather" provisions.

Alderman Clement discussed height issues, being that the structures shall not exceed 35 feet in height. He asked if there is any mechanism that would allow a builder to build a 36 foot high building.

Director Kraintz answered that there needs to be a threshold set, and the Board of Adjustment can recommend change of the Ordinance over time if there are too many variances being requested.

Alderman Clement said that it sounds like there could be ways to allow and grant some type of variance.

Director Kraintz responded that the short answer is "yes".

Attorney Gunn said if there is a compelling reason, the Board of Adjustment can consider that. He said the point here is this is not to be a flexible document; this is not intended to be just merely suggestions, these are requirements.

Alderman Clement said he feels that in time there may be business owners who have ideas not recognized at this time.

Mr. Dan O'Brien, 512 Glan Tai Drive, asked for elaboration about the flood plain area and how that would be handled.

Director Kraintz said that for those properties subject to flooding, buildings should be brought above the base flood elevation.

Attorney Gunn stated that it would not affect existing buildings that were being rehabbed, modified or improved.

Alderman Clement stated the Planning and Zoning Commission recommended this change unanimously.

Mayor Willson closed the public hearing at 7:24 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC  
City Clerk

**Note:** This is a journal of the Public Hearing held June 3, 2013 regarding consideration of a new Planned Business District to replace the “H” Historic Overlay and the “C-1” Commercial zoning districts in a specified area of Manchester. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, JUNE 3, 2013  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:24 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the May 20, 2013 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the May 20, 2013 Regular Board of Alderman meeting. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Willson stated there is a change on the Agenda. Item 5(b) is to be removed because Mr. Roth advised he would not be at the meeting.

Alderman Hamill made the motion to approve the Order of Items on the Agenda, as amended. The motion was seconded by Alderman Clement and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Liquor Licenses

The following liquor license applications were recommended for approval:

1. New liquor license:

- a. India's Kitchen

Alderman Clement and Alderman Ottenad simultaneously made the motion to approve the new liquor license noted above. The motion was seconded by Alderman Hamill, and carried unanimously.

2. Renewal liquor licenses:

- a. Costco Wholesale
- b. Debz Corner
- c. Dierberg's
- d. Discount Liquors
- e. El Maguey
- f. El Nopal
- g. Gabi's Wine and Spirits
- h. Gist Bistro
- i. Lazy River Grill
- j. Manchester Athletic Association
- k. Manchester Shell
- l. Manee Thai
- m. Marshall's Bistro
- n. Monsoon Vietnamese Restaurant
- o. Petro Mart – Manchester Road
- p. Petro Mart # 73 – Meramec Station Road
- q. Randall's Wine and Spirits, with wine tasting permit
- r. St. Joseph Church
- s. Sushi Ai
- t. Tokyo Steakhouse
- u. Tucker's Place West
- v. Walgreens
- w. Walmart
- x. Walter Le Pere American Legion Post 208
- y. Westchester Tennis & Sports Center

Alderman Hamill made the motion to approve the renewal liquor licenses noted above. The motion was seconded by Alderman Clement, and carried unanimously.

3. Temporary Liquor License:

- a. Walter Le Pere American Legion Post 208 for two booths at the City's Homecoming Festival

Alderman Ottenad made the motion to approve the temporary liquor licenses noted above. The motion was seconded by Alderman Clement and Alderman Hamill simultaneously, and carried unanimously.

b. Street Repair in Mandalay – Hal Roth

This item was removed from the Agenda, as Mr. Roth advised he would be unable to attend.

c. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked about police officers who have left the Police Department.

Attorney Gunn stated that they can discuss how many people left the police department but not the circumstances because that involves personnel matters.

Ms. Bair asked if she could have the names of the officers who have left.

Ms. Bair asked if the lawsuits have changed.

Attorney Gunn answered the lawsuits have not changed.

Chief of Police Tim Walsh said he is very proud of the “Clean Up for Special Olympics” and he announced that there were donations totaling \$10,043.00 for this fundraiser. He thanked Officer Dave Ebert, the Police Officers who volunteered to work as busboys, and Mr. Tom Struharik from Tucker’s Place West.

6. REPORTS FROM THE MAYOR

a. Proclamation honoring Sergeant Sheree Waterhouse

Mayor Willson presented a Proclamation to honor Sergeant Sheree Waterhouse.

b. Mayoral Report

Mayor Willson reported on May 22, he attended the event to honor Sergeant Waterhouse at the McAtee awards ceremony. He said that there were many officers who had been recommended by their Chief or Captain, but Sergeant Waterhouse was recommended by both her Chief and BJC Mental Health.

On May 23, Mayor Willson, along with City Administrator Andy Hixson, attended the Public Works luncheon at Tucker’s. It is important to recognize people who plow streets, fix the streets, and respond to emergencies and do so many other things.

Mayor Willson wanted everyone to know about the 60<sup>th</sup> anniversary remembrance event of the Korean War which will be held on July 13 at 3:00 p.m. at the American Legion Hall.

7. REPORTS FROM THE CITY ADMINISTRATOR

- a. List of Paid Bills (Warrant dates of May 17 – June 1, 2013)

There were no questions.

8. REPORTS FROM COMMITTEES

- a. Planning and Zoning Commission

Alderman Clement stated that the Planning and Zoning Commission has not met, and there is no agenda yet for next Monday.

- b. Historic Review Commission

Alderman Diehl stated that the Historic Review Commission did not meet; the next meeting will be Wednesday at 5:30 p.m.

- c. Homecoming Committee

Alderman Ottenad stated the next meeting is Wednesday, June 12, and they will be enjoying a Pot Luck picnic at Schroeder Park.

- d. Manchester Arts Council

Alderman Clement called attention to the pictures on the walls. He said the pictures displayed are about a third of the photographs entered in the contest. The photography professor from Meramec was the judge.

Alderman Clement advised that the Community Band has started rehearsing. The first concert will be Saturday, June 15 in the Schroeder Park amphitheater. He also mentioned the July 7 concert.

9. ACTION ON OLD BILLS

- a. There were none.

10. INTRODUCTION OF NEW BILLS



a. BILL APPROVING RE-SUBDIVISION OF PROPERTY AT 1520 CARMAN ROAD

Alderman Clement introduced Bill # 13-2169, entitled: "AN ORDINANCE APPROVING THE SUBDIVISION OF A PARCEL OF PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND COMMONLY KNOWN AS AND NUMBERED 1520 CARMAN ROAD IN THE CITY OF MANCHESTER, MISSOURI", by title only.

Alderman Clement made the motion for approval of emergency legislation. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

Alderman Clement read for the second time Bill # 13-2169, entitled: "AN ORDINANCE APPROVING THE SUBDIVISION OF A PARCEL OF PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND COMMONLY KNOWN AS AND NUMBERED 1520 CARMAN ROAD IN THE CITY OF MANCHESTER, MISSOURI", by title only.

Alderman Clement made the motion that Bill #13-2169 become Ordinance #13-2052. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

Alderman Stevens - aye  
Alderman Hamill - aye  
Alderman Diehl - aye  
Alderman Schrader - aye  
Alderman Ottenad - aye  
Alderman Clement - aye

Mayor Willson announced the Bill passed with a vote of 6 to 0.

b. BILL AMENDING THE CODE OF ORDINANCES BY ADDING A PLANNED BUSINESS DISTRICT FOR A SPECIFIED AREA OF THE CITY

Alderman Hamill introduced Bill # 13-2170, entitled: "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO A NEW SECTION 405.285 RELATING TO THE CREATION OF A NEW ZONING DISTRICT TO BE KNOWN AS THE 'PLANNED BUSINESS DISTRICT' AND REZONING CERTAIN PROPERTY WITHIN SAID DISTRICT TO SUCH ZONING CLASSIFICATION", by title only.

No further action at this time.

11. MISCELLANEOUS

a. Comments from the Public

12. ADJOURNMENT

At 7:48 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Ottenad and carried unanimously, without objection. The meeting adjourned at 7:48 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC  
City Clerk

***Note:** This is a journal of the Regular Meeting of the Board of Aldermen held June 3, 2013. If a recording of the meeting is desired, please contact City Hall.*